

Remarks

Claims 21-68 are pending. Claims 21-68 are provisionally rejected on the basis of the judicially created doctrine of obviousness-type double patenting. Applicants submit that this should be withdrawn given the provisional nature of the rejection. Claims 21-29, 33-41, 44-53, 56-65, and 68 are rejected on the basis of the judicially created doctrine of obviousness-type double patenting. Applicants disagree. However, in order to further the prosecution, a terminal disclaimer is submitted herewith.

Double Patenting

The Terminal Disclaimer submitted herewith disclaims all extension of patent term beyond the term of the earliest filed application to which the instant application claims priority. Applicants therefore believe that all grounds for rejection of Claims 21-29, 33-41, 44-53, 56-65, and 68 under obviousness-type double patenting are thereby rendered moot.

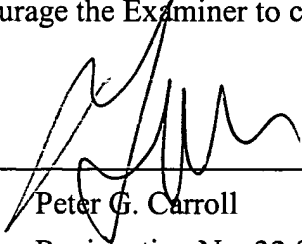
Provisional Rejected Double Patenting

Claims 21-68 stand provisionally rejected on the basis of the judicially created doctrine of obviousness-type double patenting. As provided in MPEP Section 804 Definition of Double Patenting Section B. Between Copending Applications Provisional Rejections, “[t]he ‘provisional’ double patenting rejection should continue to be made by the examiner in each application as long as there are conflicting claims in more than one application unless that ‘provisional’ double patenting rejection is the only rejection remaining in one of the applications. If the ‘provisional’ double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the ‘provisional’ double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues as a patent.”

CONCLUSION

Applicants believe that the arguments and claim amendments set forth above traverse the Examiner's rejections and, therefore, request that these grounds for rejection be withdrawn for the reasons set forth above. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, the Applicants encourage the Examiner to call the undersigned collect at 617.984.0616

Dated: March 15, 2006



Peter G. Carroll
Registration No. 32,837

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
617.984.0616